

Public Chapter 482

HOUSE BILL NO. 1234

By Representative Kisber

Substituted for: Senate Bill No. 824

By Senator Rochelle

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 10, relative to the Tennessee Advisory Commission on Intergovernmental Relations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-10-103, is amended by deleting the present language entirely and substituting instead the following:

(a) Beginning July 1, 1997, the commission shall be composed of the following twenty-five (25) members; provided however, that the membership may exceed this number until the appropriate terms of office have expired as provided herein:

(1) the Chair of the Senate Finance, Ways and Means Committee;

(2) the Chair of the House Finance Ways and Means Committee;

(3) four (4) State Senators appointed by the Speaker of the Senate;

(4) four (4) State Representatives appointed by the Speaker of the House of Representatives;

(5) four (4) elected municipal officials;

(6) four (4) elected county officials;

(7) two (2) executive branch members, one of whom may be the Commissioner of Finance and Administration, each appointed by the Governor;

(8) two (2) private citizens, each appointed by the Governor;

(9) one (1) elected representative of the Tennessee Development District Association;

(10) one (1) elected representative of the County Officials Association of Tennessee, appointed by the Governor; and

(11) the Comptroller of the Treasury.

(b) Members currently holding appointments on the commission shall serve their full terms. As vacancies occur, new appointments shall be filled by the Speaker of the Senate and the Speaker of the House by alternating appointments until each speaker has made three (3) non-legislative appointments for a maximum of seven (7) appointments. Thereafter, appointments shall alternate among the Governor, the Speaker of the Senate and the Speaker of the House, respectively, provided that none of the aforementioned appointing authorities shall exceed the number of appointments as provided herein. And, further provided, that the next three (3) vacancies in the category of private citizen shall not be filled, thereby reducing the total number of private citizens serving on the commission to two (2). Total membership may exceed twenty-five (25) members until the necessary vacancies occur in the private citizen category.

(c) The chair and vice chair of the commission shall be elected by the members of the commission for two-year terms and may subsequently be re-elected; provided, however, that the chair shall be a member of the General Assembly. In the event of the absence or disability of both the chair and vice chair, the members of the commission shall elect a temporary chair by a majority vote of those present and voting.

(d)(1) Members shall be appointed for a term of four (4) years and may be subsequently appointed to additional four-year terms except in these instances where membership is reduced as provided herein. In the case of members of the General Assembly, appointments and reappointments shall be consistent with terms of office for the Senate and the House of Representatives. Members currently holding office are eligible for reappointment for one additional term; provided, however, that those holding positions subject to downsizing shall not be eligible for reappointment.

(2) Should any member cease to be an officer, member or employee of the unit, body or agency such member is appointed to represent, such member's membership on the commission shall terminate immediately and a new member shall be appointed in the same manner as such new member's predecessor.

(e)(1) The members appointed from private life under subsection (a) shall be appointed without regard to political affiliation. Such members shall not hold any public office.

(2) Of each class of local government members appointed, no more than one-half (1/2) shall be from any one (1) political party.

(3) Of each class of legislative members appointed by the Speaker of the Senate and the Speaker of the House of Representatives, two (2) shall be from the majority party of their respective houses.

(f) A majority of those currently appointed to the commission shall constitute a quorum.

(g) For each municipal vacancy, the Tennessee Municipal League shall submit a list of three (3) elected nominees to the appropriate appointing authority.

(h) For each general county government vacancy, the Tennessee County Services Association shall submit a list of three (3) elected nominees to the appropriate appointing authority;

(i) For the development district vacancy, the Tennessee Development District Association shall submit a list of three (3) elected nominees to the appropriate appointing authority; except as provided in (d)(1) herein.

(j) For the county officials vacancy, the County Officials Association of Tennessee shall submit a list of three (3) elected nominees to the Governor.

SECTION 2. In implementing the provisions of this act, the State shall aggressively seek racial diversity by enlisting ethnic minority participation on all levels. No person shall be excluded from participation in, or be denied the benefits of any program or activity receiving funding as a result of implementation of this act on grounds of race or color.

SECTION 3. In implementing the provisions of this act, the state shall aggressively seek racial and gender diversity by enlisting ethnic minority and female participation on all levels. No person shall be excluded from participation in, or be denied the benefits of any program or activity receiving funding as a result of implementation of this act on grounds of race, color or gender.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.